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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M-10-002**

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UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF APPLICATION  
FOR ARREST WARRANT

- against -

DEVON BRISTOL,

(T. 18, U.S.C.  
§ 922(g)(1))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RAYMOND MARTINEZ, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), duly appointed according to law and acting as such.

Upon information and belief, on or about December 30, 2009, within the Eastern District of New York, the defendant DEVON BRISTOL, having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a 9mm HI-POINT semi-automatic pistol.

(Title 18, United States Code, Section 922(g)(1)).

The source of your deponent's information and the grounds for his belief are as follows<sup>1</sup>:

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<sup>1</sup>/Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest DEVON BRISTOL, I have not set forth every fact learned during the course of this investigation.

1. I have been a Detective with the NYPD for approximately seventeen and a half years. My information in this case comes from reviews of NYPD records, conversations with NYPD officers, and review of other official records of government agencies.

2. On or about December 30, 2009, NYPD Police Officer Trent Narra and Sergeant Eric Konoski of PSA 2 were on routine patrol in an unmarked vehicle in the vicinity of Decatur Street and Saratoga Avenue in Brooklyn, New York. At approximately 1:30 am, both officers pulled over a livery cab as part of their anti-crime duties. The defendant DEVON BRISTOL was seated in the back seat with another individual.

3. Officer Narra approached the driver's side of the vehicle and Sergeant Konoski approached the passenger side where the defendant was seated. As Sergeant Konoski approached the vehicle, the defendant opened the door and attempted to get out of the vehicle. Sergeant Konoski asked the defendant, in sum and substance, to step back in the vehicle, to which the defendant responded that he wanted to leave.

4. The defendant then attempted to walk towards the sergeant making contact with the sergeant's chest, at which point the Sergeant felt a hard object through the defendant's jacket. Sergeant Konoski believed the hard object might be a firearm.

Sergeant Konoski then put his hands up, asked the defendant to hold on one second, and felt the hard object from outside the defendant's jacket. The defendant refused to comply with the sergeant's request and again made physical contact with the sergeant.

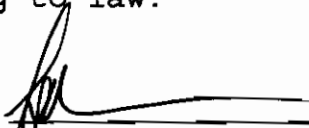
5. Sergeant Konoski then grabbed the waist of the defendant and ultimately pulled him to the ground and handcuffed him. Sergeant Konoski patted the area where he had felt the hard object and recovered a 9 millimeter HI-POINT semi-automatic pistol, which was later determined to be loaded.

6. The defendant is currently being held in state custody. I have reviewed criminal history records for the defendant, which reveal that the defendant has been convicted of at least the following crimes: on January 10, 2006, the defendant was convicted in Kings County Supreme Court of Attempted Robbery in the Second Degree, a Class D felony, and sentenced to two years in prison. In addition, on April 10, 2007, the defendant was convicted of Criminal Possession of a Weapon in the Second Degree in Kings County Supreme Court, a Class C felony, and sentenced to thirty months in prison.

7. I haven spoken with an ATF interstate nexus expert, who informs me that the above-mentioned 9mm HI-POINT

semiautomatic pistol was manufactured outside the State of New York.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant DEVON BRISTOL, so that he may be dealt with according to law.

  
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Raymond Martinez  
Detective  
New York Police Department

Sworn to before me this  
4th day of January, 2010

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